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0235 #6

Attorney's Docket No. _____

Combined Declaration and Power of Attorney

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original ☐ supplemental
☐ national stage of PCT
☐ divisional ☐ continuation ☐ continuation-in-part

My residence, post office address and citizenship are as stated next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL WAVEGUIDE TYPE DEFRACTION GRATING DEVICE AND A METHOD OF MANUFACTURING THEREOF

the specification of which

- ☐ is attached hereto.
☒ was filed on January 22, 2002
as United States Application Serial Number 10/051299 and,
was amended on _____ (if applicable).
☐ was filed on _____
as PCT International Application Number _____ and,
was amended under PCT Article 19 on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(a)

Application Number	Country	Date of Filing (Day/Month/Year)	Priority Claimed Under 35 USC 119
<u>P2001-209826</u>	<u>Japan</u>	<u>10 / July / 2001</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<u>P1999-196870</u>	<u>Japan</u>	<u>12 / July / 1999</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<u>P2002-012017</u>	<u>Japan</u>	<u>21 / January / 2002</u>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

PRIOR U.S. PROVISIONAL APPLICATIONS, BENEFIT CLAIMED UNDER 35 USC §119(e)

<u>60/340484</u>	<u>December 18, 2001</u>	<u> </u>	<u> </u>
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)
<u> </u>	<u> </u>	<u> </u>	<u> </u>
(Application No.)	(Filing Date)	(Application No.)	(Filing Date)

I hereby claim the benefit of Title 35, United States Code Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

PRIOR U.S. APPLICATIONS OR PCT INTERNATIONAL APPLICATIONS
DESIGNATING THE U.S., BENEFIT CLAIMED UNDER 35 USC §120

<u> </u>	<u> </u>	<u> </u>
(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
<u> </u>	<u> </u>	<u> </u>
(Application No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the registered practitioners of McDermott, Will & Emery included in the Customer Number provided below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Customer Number 20277

Send Correspondence to: Customer Number 20277
McDermott, Will & Emery

600 13TH STREET, N.W.
WASHINGTON, D.C., 20005-3096
Direct Telephone Calls to: 202-756-8000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of sole or first inventor Masaki OHMURA	
Inventor's signature <i>Masaki Ohmura</i>	Date <i>Jun. 4. 2002</i>
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Full Name second joint inventor, if any Masakazu SHIGEHARA	
Second inventor's signature <i>Masakazu Shigehara</i>	Date <i>Jun. 4. 2002</i>
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Atty Docket PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Masaki OHMURA

No. 10/051,299

Filed: February 28, 2002

For **OPTICAL WAVEGUIDE TYPE DEFFRACTION GRATING DEVICE AND A METHOD OF MANUFACTURING THEREOF**

DECLARATION AND VERIFIED TRANSLATION

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I, Shiro TERASAKI, a Japanese Patent Attorney registered No. 9265 having my business office at Okura-Honkan, 6-12, Ginza 2-chome, Chuo-ku, Tokyo 104-0061 Japan, hereby declare and say:

that I am thoroughly conversant with both the Japanese and English languages; and, that the attached document represents a true English translation of United States Patent Application as filed in accordance with 37 CFR Section 1.52(d) in the Japanese language on January 22, 2002 which is claimed and for which a patent is sought on the invention entitled: **OPTICAL WAVEGUIDE TYPE DEFFRACTION GRATING DEVICE AND A METHOD OF MANUFACTURING THEREOF**

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 12th day of June, 2002.

Signature:

Name:

Shiro TERASAKI